

**FACSIMILE COVER SHEET**

Date: August 14, 2003  
To: Examiner Joseph Waks – Group 2800  
United States Patent and Trademark Office  
Fax No: (703) 746-4176  
From: Steven P. Shurtz  
Tel. No: (801) 444-3933  
Client No: 8864

No. of Pages  
(inc. this page): 14

Confirmation Copy To Follow: Yes ☐ No ☒

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**COVER MESSAGE:**

Enclosed for filing in Serial No. 09/738,268 is an Amendment (after final), as well as a transmittal letter.

**BRINKS  
HOFER  
GILSON  
& LIONE**

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TRANSMITTAL LETTER			Case No. 8864/23
Serial No. 09/738 268	Filing Date December 15, 2000	Examiner Joseph Waks	Group Art Unit 2834
Inventor(s) LIEU ET AL.			
Title of Invention SPINDLE MOTOR WITH ENCAPSUALTED STATOR AND METHOD OF MAKING SAME			

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an Amendment.

- ☒ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a \_\_\_\_ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

					Small Entity		or	Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee		Rate	Add'l Fee
Total	54	Minus	73	0	x \$9=	0		x \$18=	
Indep.	6	Minus	12	0	x 42=	0		x \$84=	
First Presentation of Multiple Dep. Claim					+\$140=			+\$280=	
					Total add'l fee	\$		Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- ☐ Credit Card Form in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Steven P. Shurtz  
 Steven P. Shurtz  
 Registration No. 31,424  
 Attorney for Applicants  
 Customer No. 00757 - Brinks Hofer Gilson Lione

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I hereby certify that this correspondence is being transmitted by facsimile to Group Art Unit 2800 at 703 746-4176 on August 14, 2003.

Date: 8/14/03 Signature: Steven P. Shurtz

I hereby certify that this correspondence is being transmitted by facsimile to Group Art Unit 2800 at 703 746-4174 on August 14, 2003

Steven P. Shurtz, Reg. No. 31,424

Name of applicant, assignee or  
Registered Representative

*Steven P. Shurtz*

Signature

August 14, 2003

Date of Signature

Our Case No. 8864/23

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dennis K. Lieu, et al.

Serial No. 09/738,268

Filing Date: December 15, 2000

For: SPINDLE MOTOR WITH  
ENCAPSULATED STATOR AND  
METHOD OF MAKING SAME

Examiner: J. Waks

Group Art Unit: 2834

## AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action and final rejection mailed January 31, 2003, Applicants mailed a Notice of Appeal on July 31, 2003. However, it has been decided to accept the allowed and allowable claims rather than prosecute the appeal.

Applicants filed an Amendment on August 5, 2003. However, in a telephone call from Examiner Waks, Applicants' attorney was informed that the August 5, 2003 amendment was not going to be entered. Based on suggestions from Examiner Waks, the claims have been further amended. Therefore, please enter the following amendment instead of the August 5, 2003 amendment, and consider the following remarks.

**FAX RECEIVED**

**AUG 19 2003**

**TECHNOLOGY CENTER 2800**

Amendments to the claims are reflected in the listing of claims which begins on page 3 of this paper. Remarks begin on page 12 of the paper.